

4841. Adulteration and misbranding of Jamaica rum, cognac, and Irish whisky. U. S. v. 10 Cases of Jamaica Rum, 12 Cases of Cognac, and 15 Cases of Irish Whisky. Consent decrees of condemnation and forfeiture in the rum and cognac cases. Product ordered released on bond. Default decree of condemnation and forfeiture in the case of the Irish whisky. Product ordered destroyed. (F. & D. No. 6164. I. S. Nos. 928-k, 930-k, 931-k. S. No. E-174.)

On December 10, 1914, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district 3 libels for the seizure and condemnation of 10 cases of Jamaica rum, 12 cases of cognac, and 15 cases of Irish whisky remaining unsold in the original unbroken packages at Providence, R. I., alleging that the articles had been shipped, on or about July 11, 1914, by A. Blum, jr., Sons, New York, N. Y., and transported from the State of New York into the State of Rhode Island, and charging adulteration and misbranding in violation of the Food and Drugs Act. The cases of Jamaica rum were labeled: "G Eustace Burke And Bro, Ltd, Old London Dock Jamaica Rum, Kingston." The bottles in these cases were labeled: "G. Eustace Burke And Bro Ltd" (Coat of arms of Great Britain—also native field scene with man and woman in foreground) "Kingston, Jamaica, Old Jamaica Rum." The cases containing the cognac were labeled: "Louis Bechade, Cognac, France X X X B 12/1 bouteilles New York." The bottles in these cases were labeled: (Capsule) "Louis Bechade" (Neck Label) "Three Stars" (Principal Label) "Louis Bechade Cognac The Produce Of France" (Picture of man on horse) The cases containing the Irish whisky were labeled: "Very Old Irish Whiskey, Dublin, Ireland, B 15 New York" (British Coat of Arms). The bottles in these cases were labeled: "The Dews of Erin" (Gold Coins and Picture of Charles Stewart Parnell) "Trade Mark Charles Stewart Parnell" (Harp in wreath of shamrocks) "Finest Old Irish Pot Still Whiskey the 'Parnell Brand' of Irish Whiskey is distilled in Pot Stills from the choicest Barley Malt, the product of Galway and Limerick Counties of Ireland, and guaranteed to be absolutely Pure. It has been specially selected for export and is highly recommended to all connoisseurs Pattisons, Roberts & Co., Limited, London, Edinburgh, and Dublin."

Adulteration of these articles was alleged in the libels for the reason that they were labeled as aforesaid, and purported by said labels to be pure Jamaica rum, cognac, and Irish whisky, respectively, but a certain substance, to wit, neutral spirits, had been substituted in part for Jamaica rum, cognac, and Irish whisky, as the case might be.

Misbranding was alleged in the libels for the reason that the bottles containing the articles bore labels, respectively, as aforesaid, and purported by the labels which they bore to be pure Jamaica rum, cognac, and Irish whisky, respectively, but were, in fact, composed in whole of neutral spirits, which had been substituted for Jamaica rum, cognac, and Irish whisky, as the case might be. Misbranding was alleged for the further reason that the bottles bore labels, statements, designs, and devices as aforesaid, which said labels, statements, designs, and devices were false and misleading, to wit, said products purported by said labels, statements, designs, and devices, to be pure Jamaica rum, cognac, and Irish whisky, respectively, when, in truth and in fact, they were not, but neutral spirits had been mixed and packed therewith so as to reduce, lower, and injuriously affect their quality and strength. Misbranding was alleged for the further reason that the articles bore labels reading as aforesaid and purported by said labels to be pure Jamaica rum, cognac, and Irish whisky, respectively, but were, in fact, composed in large part of neutral spirits other than Jamaica

rum, cognac, and Irish whisky, and said products were so labeled and branded as to mislead the purchaser.

On April 30, 1915, the said A. Blum, jr., Sons, New York, N. Y., claimant, having filed its claim and answer, praying that the Jamaica rum and cognac be delivered to it, judgments of condemnation were entered, and it was ordered by the court that the products should be delivered to said claimant company upon payment of the costs of the proceedings and the execution of bond in the sum of \$200 in each case, in conformity with section 10 of the act.

On June 29, 1916, no claimant having appeared for the Irish whisky, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN,
Acting Secretary of Agriculture.